

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
MARTINSBURG**

UNITED STATES OF AMERICA,
Plaintiff,

v.

Criminal No. 3:16CR26

JONATHAN LEIGH WIENKE,
Defendant.

UNOPPOSED MOTION TO EXTEND TIME FOR FILING PRETRIAL MOTIONS

Comes now the Defendant, Jonathan Leigh Wienke, by and through counsel, Nicholas J. Compton, Assistant Federal Public Defender, and files this motion to extend the time in which he may file pretrial motions. In support, the Defendant offers the following:

1. The Defendant is named in a seven-count indictment charging him with various federal firearms violations. The Court's Initial Scheduling Order [Dkt. # 12] sets forth a deadline of August 17, 2016, for filing pretrial motions in this matter.

2. The Defendant received discovery from the Government, in a timely manner in accordance with the Court's scheduling order, on August 3, 2016. The discovery consisted of approximately 1,300 documents. Given the volume of the discovery, Counsel has not had sufficient time to fully review all of the discovery and review the documents with the Defendant. While Counsel has made diligent efforts to review the discovery, Counsel finds that additional time is necessary to fully review the documents and, more importantly, review them with the Defendant to determine what, if any, pre-trial motions need to be filed.

3. As the Court is aware, this case in the Northern District of West Virginia stems

from an incident which allegedly occurred in the District of Columbia. In addition to the 1300 pages of discovery dealing with the charges in this case, Counsel must review and consider documents and evidence from D.C. incident which gave rise to the charges in this district. Such a review, coupled with the voluminous discovery, necessitates additional time before Counsel would be in a position to file pre-trial motions in this case.

4. Both undersigned counsel and counsel for the Government will be participating as lead counsel in the trial of U.S. v. Aaron Reed, 3:16cr7. That trial is set to begin on Tuesday, August 16, 2016, one day before the deadline for filing pre-trial motions in this case. Counsel has devoted the last several days and will be devoting the next several days to preparing for that trial; Government counsel will surely be doing the same. Because of Counsel's participation in the Reed trial, additional time will be necessary in this case to review discovery and prepare pre-trial motions.

5. Counsel has consulted with AUSA Anna Krasinski, who offers no objection to the motion. Counsel has also consulted with the Defendant who supports this motion and has no objection to it.

6. Based on the foregoing, Counsel contends that additional time is necessary to review the discovery, review it with the Defendant, and determine what, if any, pre-trial motions should be filed. Counsel therefore requests that the pre-trial motions deadline be extended to Friday, August 26, 2016.

Respectfully submitted,

JONATHAN LEIGH WIENKE
By Counsel

By: *S/ Nicholas J. Compton*

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CERTIFICATION OF SERVICE

I hereby certify that on August 12, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

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